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September 12, 2014

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Hon. Randolph F. Treece  
United States Magistrate Judge  
Northern District of New York  
U.S. Court House  
445 Broadway  
Albany, NY 12207

Re: CMA v. PCG  
Case No: 13-cv-00729  
Our File: 500-2010

Dear Magistrate Judge Treece:

Please accept this letter as a Status Report pursuant to the Court's Uniform Pretrial Scheduling Order. The parties have exchanged initial disclosures, and have exchanged a significant amount of electronic and document discovery. PCG's document production was approximately 19,000 pages in total, and CMA is currently in the process of evaluating the discovery materials. CMA has also produced a significant amount of discovery, and it is also in the process of gathering additional materials in response to PCG's discovery demands. We anticipate serving additional, follow-up discovery demands by the end of September. CMA also anticipates moving to amend the Complaint to increase the amount demanded based upon information obtained during the course of discovery. PCG plans to schedule a meet and confer conference within the next 10 days with CMA to address two issues – (1) CMA's failure to produce certain categories of documents requested by PCG on June 4, 2014, and (2) the adequacy of CMA's responses to PCG's First Requests for Admission. PCG is hopeful the parties can resolve those issues without court intervention.

The parties conducted the mandatory mediation on September 10, 2014. While the mediation was ultimately unsuccessful in that the case did not settle, it was nevertheless

productive. The mediator, David Wukitsch, spent considerable time with both parties, and was able to identify and discuss the most significant issues in the case.

The parties are continuing with discovery, and we anticipate scheduling depositions in the next 60 to 90 days. We feel that it is important to have exchanged all relevant documentation prior to conducting the depositions, and we anticipate that will occur within the next 60 to 90 days. PCG plans to subpoena documents from New York Department of Health, Bureau of Early Intervention ("DOH BEI"), within the next two weeks, and is amenable to scheduling depositions at such time that all requested documentation is received from CMA (see above) and DOH BEI. The deadline for completion of discovery is January 30, 2014.

If the Court has any questions or concerns regarding the status of discovery, please do not hesitate to contact our office.

Very truly yours,

THE MILLS LAW FIRM, LLP

BY: 

CHRISTOPHER K. MILLS

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